

COMMERCIAL LOBSTER CONSERVATION MANAGEMENT AREAS



LMA BOUNDARIES

LMA 1: Beginning at the MA/NH border, following the outer boundary of the territorial waters of NH and ME to the US/Canada border, thence to the intersection of LORAN C 9960-Y-44400 with the boundary of the US Exclusive Economic Zone (EEZ), thence to the intersection of 9960-Y-44400 with 70 [degrees] West Longitude, thence following the 70th meridian to its intersection with 9960-W-13700, thence following 9960-W-13700 to its intersection with 9960-Y-44120, thence following 9960-Y-44120 westerly to its intersection with 9960-W-13850, thence following 9960-W-13850 southeasterly to its intersection with 9960-Y-44110, thence following 9960-Y-44110 easterly to Race Point in Provincetown, thence following the MA shoreline back to the beginning.

LMA 1/2 Overlap: The Cape Cod Canal, from the Massachusetts Maritime Academy pier at the southern end to the end of the east breakwater on the northern end. Fishermen from either LMA 1 or LMA 2 may fish in the overlap zone under the rules of the area endorsed on their permits.

LMA 2: Beginning at the shoreline of Harwich, following the 70 [degrees] five minutes West Longitude south through the Island of Nantucket to its intersection with 9960-Y-43780, thence following 9960-Y-43780 easterly to its intersection with 9960-W-13700, thence following 9960-W-13700 southerly to its intersection 9960-W-14610, thence following 9960-14610 northerly to the outer boundary of NY territorial waters, thence following the outer boundary of the territorial waters of NY and RI to the MA/RI boundary, thence following the MA/RI and boundary to the shoreline, thence following the shoreline of MA back to the beginning.

LMA 2/3 Overlap: Fishermen from either Area 2 or Area 3 may fish in an area bounded as follows under their respective LMA rules: Beginning at the intersection of 9960-W-13700 and 9960-Y-43700, thence westerly along the 43700 line to the intersection with 9960-W-14610, thence southwestly along a line whose extension reaches the intersection of 9960-Y-43500 with 9960-X-26400 to 9960-Y-43600, thence easterly along the 43600 line to 9960-W-13700, thence northwestly along the 13700 line to the beginning.

LMA 3: All waters of EEZ seaward of LMA 1, OC, 2, 4, 5, and 6.

Outer Cape Cod (OCC): Beginning at Race Point in Provincetown, following 9960-Y-44110 westerly to its intersection with 9960-W-13850, thence following 9960-W-13850 northwestly to 9960-Y-44120, thence following 9960-W-44120 easterly to its intersection with 9960-W-13700, thence following 9960-W-13700 southerly to 9960-Y-43780, thence following 9960-Y-43780 westerly to its intersection with 70 [degrees] five minutes West Longitude, thence following 70 [degrees] five minutes West Longitude north through Nantucket Island to the shoreline of Harwich, thence following the shoreline of Cape Cod east and north back to the beginning.

OCC/LMA 1 Overlap: Beginning at Race Point in Provincetown, following 9960-Y-44110 westerly to its intersection with 9960-W-13850, thence following 9960-W-13850 southeasterly to its intersection with 9960-X-25330, thence following 9960-X-25330 northeasterly to the shoreline of Great Island in Wellfleet, thence following the shoreline northerly back to the beginning. Fishermen endorsed for either LMA 1 or OCLMA may fish in the overlap zone under the rules of the area endorsed on their permit.

RECREATIONAL LOBSTER MANAGEMENT AREAS

Gulf of Maine Recreational Lobster Area (GOM) means those state waters north of Cape Cod Bay to the New Hampshire border including waters of the Cape Cod Canal but not those waters within the Southeastern Recreational Lobster Area.

Southeastern Recreational Lobster Area (SE) means those state waters south and east of Cape Cod including waters of Buzzards Bay, Vineyard Sound, Nantucket Sound. In addition this Area further includes certain waters within the town of Provincetown and Truro shoreward of a line drawn from the territorial seas line northwest of race Point at 42 degrees 7 minutes latitude and 70 degrees 16 minutes longitude south to the Race Point Buoy then southeast to the Wood End Buoy and east to the shoreline at 42 degrees 01.32 minutes latitude and 70 degrees 05.26 minutes longitude.



AREA/SEASON CLOSURES

Location	Duration
Fish Weir Buffer Zone within the area marked by anchor buoys.	Year-round
Greater New Bedford Harbor north of a line from Ricketson’s Point (Dartmouth) to Wilbur Point (Fairhaven).	Year-round
Eastern portion of the Upper Cape Cod Bay Whiting Area.	Sep 1 – Oct 31

NIGHTTIME LANDING PROHIBITION

During February 1 through April 30, it is unlawful to land lobster from 8PM – 6AM.

LOBSTER/CRAB PERMITS

To harvest and sell lobster or crabs, a commercial lobster/crab permit is required. Minors under seventeen (17) years of age must have the written consent of a parent or guardian to obtain a lobster permit.

A non-commercial lobster permit endorsed for diving is required of all individuals who recreationally dive for lobster in coastal waters. It also allows the holder to take edible crabs.

LOBSTER & CRAB FISHING REGULATIONS

Species	Closed Season	Minimum Size
Lobster	----	see matrix below (1)
Blue Crab	Jan.1 - April 30	4 1/8" (2)
Edible Crabs	Jan.1 - April 30	-----

	LCMA 1 & GOM Rec. Area	LCMA 2, OCC & SE Rec. Area	LCMA 3
Lobster Minimum Size	3 ¼”	3 3/8”	3 7/16” (3)
Lobster Maximum Size	5”	---	---

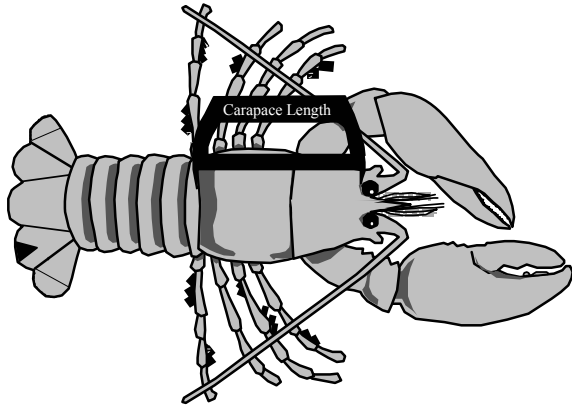
(1) Carapace length measured from rear of eye socket parallel to the center line of the body shell to the rear of the body shell. All lobsters measuring less than the minimum legal carapace length must be immediately returned to the waters from which taken. All lobsters must be measured immediately, prior to surfacing for those taking lobster by diving methods (see below).

(2) Blue Crabs are measured across the shell from tip to tip of the posterior-most, longest spines along the lateral margins of the carapace.

(3) Lobster minimum sizes will increase in LMA 3 according to the following schedule:

Effective Date	Minimum Size
July 1, 2006 – June 30, 2007	3 7/16”
July 1, 2007 – June 30, 2008	3 15/32”
July 1, 2008 and beyond	3 ½”

Measuring a Lobster



COMMERCIAL TRAP LIMIT: LCMA 1 trap limit of 800 [CMR 6.13]; OCCLMA and LCMA 2 trap limits based on individual’s initial trap allocation [CMR 6.13] and trap allocation transfers [CMR 7.03], not to exceed limit of 800 traps [CMR 6.13].

To be eligible for allocation in OCCLCMA, permit holders must have documented lawful fishing of lobster primarily in OCCLCMA during years 1999, 2000, or 2001. [CMR 6.13]

To be eligible for allocation in LCMA 2, permit holders must have documented lawful fishing of lobster primarily in LCMA 2 during years 2001, 2002, or 2003. [CMR 6.13]

RECREATIONAL POSSESSION LIMIT: Non-commercial lobster fishermen are prohibited from possessing more than 15 lobsters per day.

V-NOTCH RULES

Requirement to V-notch female lobsters: LMA 1 commercial fishermen are required to carve a v-shaped notch in any egg-bearing female lobster at least ¼” and not greater than a ½” in depth and tapering to a sharp point in the flipper next to and to the right of the center flipper as viewed from the rear of the female lobster when underside is down. LMA 2, 3, and OCC commercial fishermen and all recreational fishermen are not required to v-notch egg-bearing female lobsters.

Rules pertaining to possession of a v-notched female lobster: LMA 1 & recreational fishermen fishing, landing or transiting the Gulf of Maine Recreational Lobster Area: “ZERO TOLERANCE” applies. Fishermen may not possess a female lobster with a “v-shaped notch” of any size with or without setal hairs; LMA 3, OCC, recreational fishermen fishing, landing or transiting the Southeastern Recreational Lobster Area & dealers: may not possess a female lobster if it possesses a “v-shaped notch” in the base of the flipper at least ¼” in depth and tapering to a point without setal hairs; LCMA 2: may not possess a female lobster if it possesses a “v-shaped notch” or indentation in the base of the flipper that is at least as deep as 1/8”, with or without setal hairs.

For the purpose of complying with v-notch regulations, the flipper right of the center flipper will be examined when the underside of the lobster is down and its tail is toward the person making the determination.

It is prohibited to possess a female lobster that is mutilated in a manner that could hide, obscure or obliterate a v-shaped notch.

LOBSTER GEAR

Wooden lobster buoys may not be used.

All commercial buoys and traps must be marked with licensee's 4-digit permit #. An approved official trap tag must be affixed to the central bridge or cross member of each trap and will suffice to meet marking requirements.

All non-commercial traps and buoys letter must be marked with the letter “N” prior to the 4-digit permit # and a dash with a single digit (0-9) indicating the sequential trap number. Traps must be marked by burning or cutting the permit number sequence into a wooden lath or durable synthetic plate at least ½” high x 1/8” thick and permanently secured to the inside of the trap.

All buoys, commercial and non-commercial, must be painted with permit holder’s approved color scheme.

Before any buoy, pot, trap or lobster car is sold, transferred or given away, the owner must burn or cut the letter "T" after his old permit #. The new owner shall than burn or cut his permit # on the buoy, trap or lobster car.

All Lobster traps, with the exception of traps constructed entirely or partially of wood as noted in CMR 6.02, must contain a ghost panel or other mechanism which is designed to create an opening to allow escapement of lobsters within 12 months after a trap has been abandoned or lost, with the following specifications:

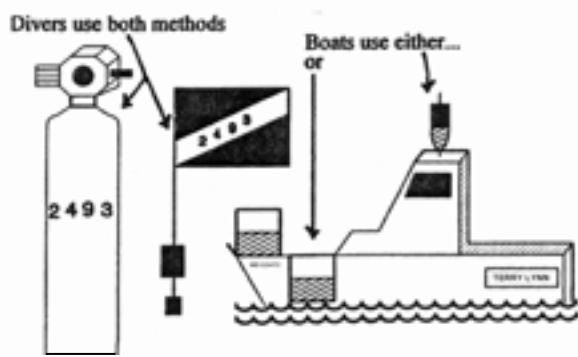
- The rectangular opening covered by the panel must be at least 3-3/4" x 3-3/4"
- The panel must be constructed of, or fastened to the trap with one of the following untreated materials: wood lath; cotton, hemp, sisal or jute twine not greater than 3/16" in diameter; or non-stainless, uncoated ferrous metal not greater than 3/32" in diameter.
- The door of the trap may serve as the escape panel if fastened with one of the specified materials.
- The escape panel must be located in the parlor(s) of the trap, but may not be on the bottom.

All lobster traps must have one or more unobstructed rectangular escape vents or two or more unobstructed round openings in the parlor sections(s) of the trap which conform to the following area-specific minimum sizes:

	LMA 1 & GOM Rec. Area	LMA 2, 3, OCC & SE Rec. Area
Rectangular	1 15/16” x 5 3/4"	2” x 5 3/4"
Two circular	2 7/16”	2 5/8"

The maximum volume of lobster traps is 22,950 cubic inches.

GEAR MARKING



Boats for lobstering must display the licensee's buoy colors on each side of the hull (or upon panels attached to each side of the hull), or upon a single panel attached to the top of the bow or by mounting a buoy at least 11" long, 4" diameter with licensee's colors, upright, at least 6" above the roof of the boat. Color scheme on hull or panels must be a solid color strip 4" high, 18" wide. The rectangle or square resulting must be bordered on all sides with a black strip at least 1" wide.

Divers must display their assigned number upon their air tank and a floating marker (upright single panel, at least 12" x 12", white background, black numerals at least 3" high, ½" in thickness or width of line on both sides of the marker). A group of divers may use only one floating marker listing the license number of each diver in the group.

WHALE PROTECTION RULES

Year-round gear restrictions in all state waters. It is unlawful to set fishing gear with 1) positively buoyant line that floats at the surface and 2) positively buoyant groundline and buoy lines (floating line may be used on lower one-third of buoy line).

Cape Cod Critical Habitat gear restrictions (from Jan 1 – May 15):
1) 500-lb breakaway link on buoy line required;
2) single traps prohibited, must be at least 4-trap trawls with two buoy lines or two-trap “doubles” with just one buoy line;
3) buoys must be marked with “twin orange markers”;
4) unlawful to mark fixed gear as required in [CMR 4.13] if traps are not properly rigged with features required in [CMR 12.05]; and
5) floating line may be used on lower one-third of buoy line.



LOBSTER PROHIBITIONS

It is illegal for anyone, except the owner, to handle, destroy or molest any lobster or crab trap or other fishing gear, including any gear swept upon the shore, beaches or flats whether public or private, or to take fish there from.

Taking of lobsters and crabs from one-half hour after sunset to one-half hour before sunrise is strictly prohibited.

Spearing, dipping or dragging for lobsters is prohibited.

Removal of eggs from lobsters is prohibited. Egg-bearing lobsters or lobsters from which eggs have been removed must be immediately returned alive to the waters from which taken.

Mutilation of any lobster which affects its measurement or the possession of lobster parts shall be prima facie evidence that the lobster was less than the legal minimum size.

Taking v-notched female lobsters is strictly prohibited. V-notched female lobster must be immediately returned alive to the waters from which taken.

FISHERMAN PERMITS

All persons who land and sell finfish, shellfish, lobsters, edible crabs or other living marine resources in Massachusetts must have a commercial fisherman permit from DMF and must sell only to licensed Massachusetts dealers. All commercial permits, except Rod & Reel and Seasonal lobster, may be endorsed for shellfish at no additional cost.

Coastal Lobster Permit allows the taking, landing and sale of lobsters (to a licensed dealer) harvested from within the coastal waters of the Commonwealth. There is a maximum of 800 lobster traps per vessel that may be set in state waters. Other area-specific trap limits apply. The permit may be endorsed to take and sell shellfish and finfish at no additional cost. In the case of skin or scuba divers, only the licensee is covered.

Offshore Lobster Permit allows the landing and sale of lobsters (to a licensed dealer) taken outside of the coastal waters of the commonwealth only; pursuant to a federal lobster permit. The permit may be endorsed to take and sell shellfish and finfish at no additional cost.

Seasonal Lobster Permit is issued to full-time students only (verification required), and allows the licensee only to take and sell lobsters (to a licensed dealer) from June 15 - Sept. 15. A maximum of 25 traps may be used. Diving is not permitted, sale of finfish and/or shellfish is not permitted.

Noncommercial Lobster Permit is required to fish for or take lobsters and crabs for personal use. This authorizes the holder and members of the holders' immediate family, residing in the same residence, to fish for and take lobsters using 10-traps only. The immediate family is defined as the spouse, parents, children, grandparents, brothers and sisters of the holder. This permit may be endorsed for diving by the permit holder only. Other family members residing in the same residence may purchase additional permits for diving only, not for traps.

No permit is required to take edible crabs (includes blue crab) for use by immediate family, provided that the number of crabs does not exceed fifty (50) in one day and that no traps or traps are used.

Annual catch reports are required of all lobster permit holders. These forms are provided by DMF and are also available online at www.mass.gov/marinefisheries.

DEALER PERMITS

All persons engaged in the wholesale or retail trade of raw fish, shellfish, lobsters, or bait, whether frozen or unfrozen must have a Dealer permit from DMF and may be subject to inspection from the Department of Public Health. Shellfish dealers must check Food & Drug regulations for tagging and record keeping. Dealers buying directly from commercial fishermen must obtain prior authorization from DMF and must report all transactions.

Duplicate Permit - all requests for duplicate permits must be received in writing stating the circumstances surrounding the loss of the original permit.

For further information on any license type, please contact the Licensing Office 617-626-1520. Applications are available on-line at www.mass.gov/marinefisheries.

PERMIT PROHIBITIONS

Transferring licenses and permits issued by the Director, unless specifically provided for.

Selling finfish, lobsters or shellfish without a commercial license and to anyone other than a licensed Massachusetts Dealer.

The catch of finfish and conch by commercial lobster fishermen using traps must not exceed the catch of lobster by weight, else a regulated fish trap fishery permit is required.

PERMIT FEES

Commercial Permits:	Resident	Non-Res.
Coastal Lobster	\$260	N/A
Offshore Lobster/99+	\$260	\$520
Seasonal Lobster	\$65	\$130
Coastal Lobster Transfer fee	\$50	
Special Permits:		
Non-commercial lobster	\$40	\$60*
Dealer Permits:		
Wholesale Dealer	\$130	\$260
Wholesale Broker	\$130	\$260
Wholesale Truck	\$130	\$260
Retail Store	\$65	\$130
Retail Truck	\$65	\$130
Retail Boat		\$65
Bait Dealer	\$65	\$130
All Duplicates:	\$5	\$7

*Non-residents may obtain this permit if they own at least \$5,000 in MA real-estate, and temporarily reside in a MA coastal city or town.

DIVISION OF MARINE FISHERIES

Division of Marine Fisheries 251 Causeway Street, Suite 400 Boston, MA 02114 (617) 626-1520	Annisquam River Marine Station 30 Emerson Avenue Gloucester, MA 01930 (978) 282-0308
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Pocasset Office 50A Portside Drive Pocasset, MA 02559 (508) 563-1779	Martha's Vineyard Station P.O. Box 9 Vineyard Haven, MA 02568 (508)693-0060
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Shellfish Purification Plant Plum Island Newburyport, MA 01950 (978) 465-3553	LICENSING OFFICE 251 Causeway St., 1 st Floor Boston, MA 02114 (617) 626-1520
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New Bedford Field Facility Quest Center 1213 Purchase St. New Bedford, MA 02740 (508) 990-2860	New Bedford Field Facility MFI - NRTC 838 S. Rodney French Blvd. New Bedford, MA 02744 (508) 990-2860
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For further information on regulations, agency programs, fisheries research, and licensing (recreational lobster permits may be renewed online), please visit us online at www.mass.gov/marinefisheries.

DIVISION OF LAW ENFORCEMENT

Hewitts Cove	(781) 740-2442
Radio Room	(617) 626-1665
North Coastal Bureau	(978) 283-7764
Toll Free number	1-800 632-8075

This pamphlet contains abstracts of some of the laws of interest to commercial and recreational lobster fishermen who utilize Massachusetts coastal waters. For more detailed information see Chapter 130 of the Massachusetts General Laws and Code of Massachusetts Regulations, Title 322.

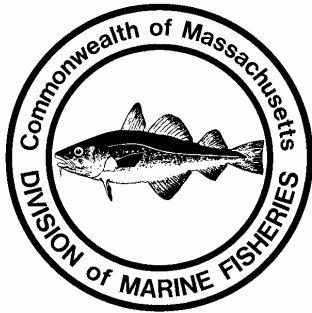
The rules and regulations contained in this abstract are subject to change without notice and do not contain any emergency actions taken by *MarineFisheries*. Contact *MarineFisheries* for current regulations.

Updated January 2007

Commonwealth of Massachusetts

ABSTRACT
of the
Massachusetts
Commercial & Recreational
Lobster Fishery
Regulations

January 2007



Paul J. Diodati,
Director

Deval Patrick, Governor
Tim Murray, Lieutenant Governor
Ian Bowles, Secretary
Thomas French, Acting Commissioner